

FITAPELLI & SCHAFFER, LLP

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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**AKEN GONQUEH, on behalf of himself and all
others similarly situated,**

Plaintiff,

-against-

**LEROS POINT TO POINT, INC., LEROS
MANAGEMENT, INC., JOHN NYIKOS,
JEFFREY NYIKOS, and CHRISTOPHER
NYIKOS,**

Defendants.

No. 14 Civ. 5883 (GHW) (GWG)

**NOTICE OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF
SETTLEMENT, CONDITIONAL CERTIFICATION OF THE SETTLEMENT CLASS,
APPOINTMENT OF PLAINTIFF'S COUNSEL AS CLASS COUNSEL, AND
APPROVAL OF PLAINTIFF'S PROPOSED NOTICE OF SETTLEMENT
AND CLASS ACTION SETTLEMENT PROCEDURE**

For the reasons set forth in the Memorandum of Law in Support of Plaintiff's Motion for Preliminary Approval of Settlement, Conditional Certification of the Settlement Class, Appointment of Plaintiff's Counsel as Class Counsel, and Approval of Plaintiff's Proposed Notice of Settlement and Class Action Settlement Procedure ("Motion for Preliminary Approval") and in the Declaration of Brian S. Schaffer in Support of Plaintiff's Motion for Preliminary Approval ("Schaffer Declaration"), Plaintiff respectfully requests that the Court enter an Order:

(1) granting preliminary approval of the Settlement Agreement and Release ("Settlement Agreement"), attached as **Exhibit A** to the Schaffer Declaration;

(2) conditionally certifying the following settlement class under Fed. R. Civ. P. 23(a) and (b)(3) for purposes of effectuating the settlement:

All individuals who have worked at Leros in New York as a full time, black car chauffeur between July 30, 2008, through June 1, 2015.

(3) appointing Fitapelli & Schaffer, LLP as class counsel;

(4) approving Plaintiffs' Notice of Proposed Class Action Settlement, attached as **Exhibit B** to the Schaffer Declaration;

(5) approving Plaintiffs' proposed schedule for final settlement approval; and

(6) granting such other, further, or different relief as the Court deems just and proper.

* * *

Plaintiffs have contemporaneously submitted a Proposed Order, attached as **Exhibit C** to the Schaffer Declaration, for the Court's convenience.

Dated: New York, New York
June 25, 2015

Respectfully submitted,

/s/ Brian S. Schaffer

Brian S. Schaffer

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*Attorneys for Plaintiffs and
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